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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

JOHN CURLEY,

Plaintiff,

v.

MONMOUTH COUNTY BOARD OF CHOSEN
FREEHOLDERS, SERENA DIMASO, ESQ.,
in her official capacity as
Monmouth County Chosen Freeholder,
THOMAS ARNONE, in his official
capacity as Monmouth County Chosen
Freeholder, GARY RICH, in his
official capacity as Monmouth
County Chosen Freeholder, LILLIAN
BURRY, in her official capacity as
Monmouth County Chosen Freeholder,
MICHAEL FITZGERALD, ESQ., in his
individual and official capacity
as County Counsel, and TERI
O'CONNOR, in her individual and
official capacity as County
Administrator,

Defendants.

Civil Action No.:

Civil Action

**ORDER TO SHOW CAUSE WITH
TEMPORARY RESTRAINING ORDER**

THIS MATTER having been brought before the Court by Genova Burns, LLC attorneys for Plaintiff, John Curley, by way of Order to Show Cause, seeking temporary restraints and injunctive relief pursuant to Federal Rule of Civil Procedure 65 and Local Civil Rule 65.1, and upon the Verified Complaint and the Brief in

support thereof; and for a Order permitting Exhibit A and Exhibit B to the Verified Complaint to be filed under Seal; and the Court having considered the papers submitted in support of Plaintiff's application, and any submitted in opposition; and having heard the arguments of counsel, if any; and for good cause shown:

IT IS on this _____ day of _____, 2017,

ORDERED that Defendant shall **SHOW CAUSE** before this Court at Courtroom _____, Clarkson S. Fisher Building and U.S. Courthouse, 402 East State Street, Trenton NJ, on _____, 2017 at _____ am/pm, or as soon thereafter as counsel may be heard, why an Order should not be issued pursuant to Fed. R. Civ. P. 65(a):

(1) Preliminarily enjoining Defendants from further publishing the Report to the public.

(2) Preliminarily enjoining Defendants from engaging another outside and/or the same investigator without proper authorization from the Board.

(3) Preliminarily enjoining Defendants from taking any official or unofficial action against Plaintiff pursuant to the Report.

(4) Preliminarily enjoining Defendants from preventing Plaintiff from hiring or working with confidential aides as required to perform his job functions as a Freeholder.

(5) Preliminarily enjoining Defendants from depriving Plaintiff of the use of an office needed to perform his job functions as a Freeholder.

(6) Preliminarily enjoining Defendants from considering the Report and the censure of Plaintiff at an executive session or public session meeting of the Board.

(7) Preliminarily enjoining Defendant DiMaso from participating in any proceedings relating to the Report; and it is further

ORDERED that pending further a determination on Plaintiff's Order to Show Cause, Defendants are hereby **TEMPORARILY RESTRAINED AND ENJOINED** from:

(1) preventing Plaintiff from hiring or working with confidential aides as required to perform his job functions as a Freeholder.

(2) depriving Plaintiff of the use of an office needed to perform his job functions as a Freeholder.

(3) considering the Report and the censure of Plaintiff at an executive session or public session meeting of the Board; and it is further

ORDERED that Plaintiff, having shown that (a) Exhibits A and B to the Verified Complaint contain confidential information regarding the County's human resources investigation, (b) that the public disclosure of these documents will violate the privacy

interests of Plaintiff and others; and (c) that less restrictive alternatives are not available, Plaintiff's application to file Exhibit A and Exhibit B to the complaint under seal pursuant to L. Civ. R. 5.3 is hereby **GRANTED** and these documents (ECF No. _____ and _____ shall remain under seal); and it is further

ORDERED that Defendants shall file and serve any opposition to Plaintiff's Order to Show Cause on or before _____, 2017; and it is further

ORDERED that Plaintiff shall file and serve any reply to Defendant's opposition on or before _____, 2017; and it is further

ORDERED copy of this Order with all supporting documents shall be served on all counsel within _____ business days of receipt by counsel for Plaintiff.

, U.S.D.J.

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